IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:

Carlino Panzera et al. Docket No. 173P023

Filed: June 14, 1999 Art Unit: 1731

Serial No.: 09/460,951 Examiner: John M. Hoffmann

For: Method of Manufacture of Dental Porcelain Having Small Leucite

Crystallites

Confirmation No. 3152

DECLARATION

- My name is Scott W. Cummings and I am a patent attorney at the firm Buchanan Ingersoll & Rooney PC ("Buchanan"). I practice in the Virginia offices of Buchanan at 1737 King St., Suite 500, Alexandria, VA 22314.
- I became employed by Buchanan on February 1, 2006. During the relevant time period that Buchanan was responsible for the '951 application, I was at least partially responsible for prosecution of the '951 application.
- 3. On information and belief, prior to my employment, Buchanan was asked by the assignee of the '951 application to assume responsibility for prosecution of the '951 application. A record in our docketing system was created for the '951 application on August 28, 2005. A copy of this record is attached hereto as Exhibit A.
- 4. On information and belief, on February 2, 2006, a Power of Attorney was filed in the U.S. Patent Office by another attorney employed by Buchanan. A copy of this submission and a date stamped postcard receipt therefor is attached as Exhibit B.
- 5. The file history of the '951 application indicates that a Notice Regarding Power of Attorney was mailed to the Cantor Colburn firm on March 10, 2006 ("March Notice") in response to the February 2, 2006 Power of Attorney filing. A copy of this March Notice is attached hereto as Exhibit C. The March Notice stated that the Power of Attorney was not accepted. As evident from Exhibit C, the March Notice was sent to the Cantor Colburn firm, not to Buchanan. The March Notice was never received by me, and on information and belief, was

never received by Buchanan. If a copy of the March Notice had been received by Buchanan, from either the Patent Office or from a third party such as the Cantor Colburn firm, a record would have been created in our docketing system. As evident from Exhibit A, no such record was created. I was unaware that the power of attorney and/or correspondence address information for the '951 application had not been changed by the Patent Office. I was not made aware of the March Notice until after Buchanan had transferred responsibility for the '951 application to another firm.

- 6. I have been informed that the '951 application was abandoned for failure to respond to an Official Action with a mailing date of April 7, 2006 having a one-month period for reply (hereafter "the Official Action"). A copy of the Official Action is attached as **Exhibit D**. As seen from Exhibit D, the Official Action was sent to the Cantor Colburn firm, and not to Buchanan. The Official Action was never received by me, and on information and belief, was never received by Buchanan. If a copy of the Official Action has been received by Buchanan, from either the Patent Office or from a third party such as the Cantor Colburn firm, a record would have been created in our docketing system. As evident from Exhibit A, no such record was created. In addition, the one-month deadline for response would have appeared as an action item for the May 7, 2006 docketing record. Attached hereto as **Exhibit E** is a redacted copy of Buchanan's May 7, 2006 docketing record. As evident from Exhibit E, no due date for the '951 application appears on this date. I was unaware of the existence of the Official Action and the May 7, 2006 deadline associated therewith. I was not made aware of the Official Action until after Buchanan had transferred responsibility for the '951 application to another firm.
- On April 25, 2006 I filed a Status Inquiry in the '951 application. A copy of this filing and a date-stamped postcard therefor is attached as Exhibit F.
- On September 22, 2006, I filed an Information Disclosure Statement in the '951
 application. A copy of this filing and a date-stamped postcard therefor is attached as Exhibit G.
- 9. The file history of the '951 application indicates that a Communication Re: Appeal was mailed to the Cantor Colburn firm on November 11, 2006 ("Communication"). A copy of this Communication is attached hereto as Exhibit H. The Communication indicates that the appeal was dismissed and the application held abandoned. As evident from Exhibit H, the March Notice was sent to the Cantor Colburn firm, not to Buchanan. The Communication was never received by me, and on information and belief, was never received by Buchanan. If a copy

of the Communication has been received by Buchanan, from either the Patent Office or from a third party such as the Cantor Colburn firm, a record would have been created in our docketing system. As evident from Exhibit A, no such record was created. I was unaware that the appeal had been dismissed and that the application had gone abandoned. I was not made aware of the Communication until after Buchanan had transferred responsibility for the '951 application to another firm.

- 10. On December 1, 2006 I filed a Power of Attorney and Change of Correspondence Address Indication form along with a Statement Under 37 C.F.R. 3.73(b) in the U.S. Patent Office, which was prompted by a question regarding the actual identity of the assignee (Jeneric/Petron vs. Pentron Ceramics). A copy of the date-stamped postcard receipt therefor is attached hereto as **Exhibit I**. However, the December 1, 2006 filing does not appear in the '951 file history or transaction record. As Buchanan has transferred its file to another firm, and the '951 application is not currently available in public PAIR, a full copy of this filing is unavailable at this time.
- 11. On or about January 3, 2008, Buchanan transferred responsibility for the above-identified application (hereafter "the '951 application") to the law firm of Bond, Schoeneck & King LLC, at the client's/applicant's request.
- 12. The entire period for delay in responding to the deadline set by the Official Action of April 7, 2006, while Buchanan was responsible for the '951 application, was unintentional because neither I nor Buchanan were aware of the existence of the Official Action or any deadline associated therewith.

13. I further declare that all statements made herein of my own knowledge are true and that all statements on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful statements may jeopardize the validity of the application or any patent issuing thereon.

April 27, 2009

Scott W. Cumming

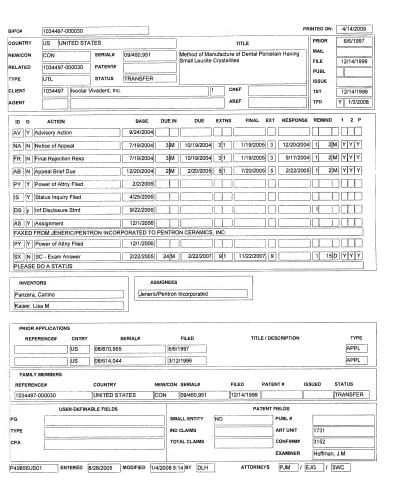


Exhibit A

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dent response Postcard	Inventor: Carlino Panzera et al. Docket No.: 1034497-000030 Working Atty: E.IG/gs E.IG/gs	The following was/were received in the U.S. Patent and Trademark Office on the date stamped hereon:	Amendment or Regiones Ceculad Debiasion Review of Alarmey Prediction Prover of Alarmey Predictions and Alarmey Ala	
	Inventor: Carl Docket No.: Okt Clerk Initials		Amendment or Preference or Pre	

Exhibit B

Patent Tow

Filing Date:

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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atent Application of

Carlino Panzera et al. Application No.: 09/460.951

December 14, 1999

Group Art Unit: 1731 Examiner: J.M. Hoffman

Confirmation No.: 3152

Title: METHOD OF MANUFACTURE OF DENTAL PORCELAIN HAVING SMALL LEUCITE CRYSTALLITES

REVOCATION AND NEW POWER OF ATTORNEY BY ASSIGNEE OF ENTIRE INTEREST

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

As the Assignee of the entire interest in the above-identified application, all powers of attorney previously given are hereby revoked, and I hereby appoint the attorneys and agents associated with the following PTO Customer Number of Buchanan Ingersoll PC (including attorneys from Burns, Doane, Swecker & Mathis) to prosecute said application and to transact all business in the Patent and Trademark Office connected therewith and to file, prosecute and transact all business in connection with the above-identified application:

Customer Number 21839

recorded in the U.S. Patent the best of its knowledge ar identified application: R	and Trademark Office at the	he chain of title from the original owner to the Assignee following Reel(s) and Frame(s), and certifies that to e entire right, title and interest in and to the above-
Please direct all telephone o	alls and correspondence to	: Buchanan Ingersoll PC Including attorneys from Burns, Doane, Swecker & Mathie P.O. Box 1404 Alexandria, Virginia 22313-1404 (703) 836-6820
The undersigned (who assignee. Date: _/2//1//or	Signature: Ala Name: Ala Title: Pr	enpower(3) to sign this statement on behalf of the an S. Korman estdent and Secretary intron Ceramics, Inc.

Buchanan Ingersoll PC

(8/05)

including attorneys from Burns Doane Swecker & Mathia



United States Patent and Trademark Office

12/14/1999

UNITED STATES DEPARTMENT OF COMMERCE UNITED STATES DEFARITION TO COMMIT United States Patent and Trademark Office Address COMMISSIONER FOR PATENTS Alexandra, Vegida 22313-1430 www.upto.gov

FILING OR 371 (c) DATE FIRST NAMED APPLICANT ATTY, DOCKET NO/TITLE APPLICATION NUMBER JEN-0005-Z

CARLINO PANZERA

023413 CANTOR COLBURN, LLP 55 GRIFFIN ROAD SOUTH BLOOMFIELD, CT 06002

09/460.951

CONFIRMATION NO. 3152

OC000000018258848

Date Mailed: 03/10/2006

NOTICE REGARDING POWER OF ATTORNEY

This is in response to the Power of Attorney filed 02/02/2006 . The Power of Attorney in this application is not accepted for the reason(s) listed below:

. The Power of Attorney is from an assignee and the Certificate required by 37 CFR 3.73(b) has not been received.

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PTOSS (703) 308-9150	
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UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER FOR PATENTS P.O. Box 1450 Alexendria, Viginia 22313-1450

APPLICATION NO	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO
09/460,951	12/14/1999	CARLINO PANZERA	JEN-0005-Z	3152
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	OLBURN, LLP		HOFFMANI	N, JOHN M
	ROAD SOUTH .D. CT 06002		ART UNIT	PAPER NUMBER
	-,		1731	
			DATE MAILED: 04/07/200	6

Please find below and/or attached an Office communication concerning this application or proceeding.

		Application No.	Applicant(s)
Notific	cation of Non-Compliant Appeal Brief	09/460,951	PANZERA ET AL.
	(37 CFR 41.37)	Examiner	Art Unit
		John Hoffmann	1731
	The MAILING DATE of this communication app	pears on the cover sheet w	ith the correspondence address
The A 41.37.	ppeal Brief filed on <u>08 Se<i>ptember</i> 2005</u> is defecti	ive for failure to comply wi	th one or more provisions of 37 CFR
1205.0	old dismissal of the appeal, applicant must file an 03) within ONE MONTH or THIRTY DAYS from t NSIONS OF THIS TIME PERIOD MAY BE GRA	he mailing date of this No	tification, whichever is longer.
1. 🗆	The brief does not contain the items required unheading or in the proper order.	inder 37 CFR 41.37(c), or	the items are not under the proper
2. 🗆	The brief does not contain a statement of the s canceled), or does not identify the appealed cla		
3. 🗆	At least one amendment has been filed subsect statement of the status of each such amendment		
4.	(a) The brief does not contain a concise explar claims involved in the appeal, referring to the s by reference characters; and/or (b) the brief fail appeal and for each dependent claim argued s 35 U.S.C. 112, sixth paragraph, and/or (2) set as corresponding to each daimed function with the drawings, if any, by reference characters (3	pecification by page and I Is to: (1) identify, for each eparately, every means p forth the structure, matena or reference to the specifica	ine number and to the drawings, if any, independent claim involved in the lus function and step plus function unde al, or acts described in the specification
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7. 🗆	The brief does not contain a correct copy of the 41.37(c)(1)(viii)).	e appealed claims as an a	ppendix thereto (37 CFR
8. 🔯	The brief does not contain copies of the eviden other evidence entered by the examiner and restatement setting forth where in the record that thereto (37 CFR 41.37(c)(1)(ix)).	lied upon by appellant i	n the appeal, along with a
9. 🗆	The brief does not contain copies of the decision identified in the Related Appeals and Interferent 41.37(c)(1)(x)).	ons rendered by a court or ices section of the brief as	the Board in the proceeding an appendix thereto (37 CFR
10.🛛	Other (including any explanation in support of t	he above items):	
,	The IDSs of 11/24/2003 and 4/21/2003 have been c record (and because it is a duplicate of the 11/24/20	onsidered. The IDS of 21 Ag 03 IDS).	3.29.00
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(CA)	(EP)	(SU)	(SU)	(Sn)	(SU)	(MX)	(ISI)	(SN)	(SU)	(Sn)	(SU)	(SU)	(Sn)	(Sn)		(SU)	Ê	(Sn)		
(CA) 2,432,241	(EP) 01987219.1	(US) 11/348,232		(US) 10/934,728	(US) 09/810,490	(MX) 2005/003687	(US) 09/896,780	(US) 09/548,659	(US) 10/520,521	(US) 10/212,814	(US) 11/144.787	(US) 10/500,849	(US) 11/344,212	(US) 10/548.269		(US) 78/808,972	(IL) 172466	(US) 1,934,372	REG/SERIAL#	Printe
PKS//	PKS//	RGM/NEW/RSC	PCK//	NHS/TSR/	NHS/SMD/	EJG//	JAL//—	CFW//	NHS/MKB/SBF i	JAL/EME/	WCR/TDB/	JAU/	EJG/MMH/	EJG//	BNI/BJM/	BPU/	BOS//	BPU-/	ATTY1/ATTY2 PARA	Printed: 5/5/2006
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	JRB/JRB/SBF	(US) 10/538,245	. (US)	1/8/US- NOT yet completed per Help Desk Inth 1034123-000122 Application was filed 6/7/05 PLEASE DO A STATUS	1/6/05 - Not yet completed per Help Desk 1 Ext/1 Mnlh 1034123-000122 Application was filed 6/7/05 PLEASE DI	1/6/ 1 Ext/1 Mnth App	2	07 Sun SC - Filing Receipt	07 Sun
	JRB/MPR/	(WO) US2004/010939	(ow)		1 Ext/1 Mnth 1034123-000102	1 Ext/1 Mnth	2	Check for Search Rpt	07 Sun
	TRW//	105,146			1034028-000001 Check status of appeal	None Che	ယ	07 Sun Status Check	07 Sun
	MB//	(NO) 2002 00849	(NO)		1033881-000027	None	0	Status Check	07 Sun
	KMN//	(TH) 098496	(ТН)	1038839-000013 Reminder- Advise FA if Claims should be amended to conform	1033839-000013 tinder- Advise FA il	None Ren	_	07 Sun Action Needed	07 Sun
	MB//	(US) 79/013.198	(NS)		1033832-000014	None	0	Off Action Resp Due	07 Sun
	AEK//	(US) 10/820,860	(IUS)		1 Ext/1 Mnth 1033818-000104	1 Ext/1 Mnth	2	Response to OA	07 Sun
Ex	AEK//	(US) 6,994,139	(ns)		6 Ext/1 Mnth 1033818-000065	6 Ext/1 Mnth	0	Ltrs Pat Received?	07 Sun
thib	AEK//	(US) 09/883,893 VT BEEN ACCEPTED?	hith 1033558-2000004 (US) 09883.893 HAS THE REQUEST TO DELETE REFERENCE OF THIRD INFORMATION DISOLOSURE STATEMENT BEEN ACCEPTED?	'O DELETE REFERENCE OF THIRD INI	1 Ext/1 Mnth 1033558-000004 HAS THE REQUEST T	1 Ext/1 Mnth HA:	2	07 Sun Status Check	07 Sun
it I	KMN//	(US) 6,786,170	(Sn)		1033491-000002	None	0	Contact client re BR	07 Sun
Ε	-	(WO) PCT/US2005/241 JRB/SBF/	(wo)		1 Ext/1 Mnth 1033292-000019	1 Ext/1 Mnth	0	Check for Search Rpt	07 Sun
	JRB/SBF/	(US) 10/887,453	(US)		1033292-000007	1 Ext/2 Mnth	N	07 Sun SC-1st OA	07 Sun
	JRB/SBF/	(US) 10/887,466	(US)		1 Ext/2 Mnth 1033292-000006	1 Ext/2 Mnth	2	07 Sun SC-1st OA	07 Sun
	TSR/DHY/	(US) 10/157,969	(SN)		5 Ext/1 Mnth 1033285-000011	5 Ext/1 Mnth	0	07 Sun Appeal Brief Due	07 Sun
	BNI/BJM/—	(NG) 76803	(NG)		2 Ext/1 Mnth 1033281-000354	2 Ext/1 Mnth	_	07 Sun SC - Prosecution	07 Sun
	BNI/BJM/	(MY) 97/08827	(VM)		2 Ext/1 Mnth 1033281-000089	2 Ext/1 Mnth	_	07 Sun Status Check	07 Sun
יט	PCK/NEW/ANF		(Sn)		1033275-000480	None	0	File Appln - 30 Mo	07 Sun
	NHS/MKB/—	(EP) 03256282.9	(EP)		1 Ext/1 Mnth 1033094-000022	1 Ext/1 Mnth	2	07 Sun Status Check	07 Sun
	JAL//	(US) 09/841,008	(Sn)		5 Ext/1 Mnth 1033048-000019	5 Ext/1 Mnth	0	May continued 07 Sun Appeal Brief Due	May cor 07 Sun
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	LJA/N/A/TLS	(ES) 2,026,036		41ES	011241ES	None	_	08 Mon Annuity Due	08 Mor
	LJA//	(US) 09/951,491		47US	3 Ext/1 Mnth 011147US	3 Ext/1 N	0	08 Mon Response to OA	08 Mor
	DMC//DMC	(US)		9 Ext/1 Mnth 0055446-000002	1nth 00554	9 Ext/1 N	22	08 Mon SC -File Application	08 Mor
	SWE/PCK/	(US) 60/697,355		0053339-000002		None	0	08 Mon Ask Client re FF	08 Mor
	CJV//-	(US) 78/809,595		3 Ext/1 Mnth 0051773-000018	Inth 00517	3 Ext/1 M	0	08 Mon Possible MP reminder	08 Mor
	CJV//-	(US) 78/809,601		3 Ext/1 Mnth 0051773-000017	Inth 00517	3 Ext/1 N	0	08 Mon Possible MP reminder	08 Mor
	CJV/N/A/TLS	(MX) 2000/001706		63MX	2 Ext/1 Mnth 000363MX	2 Ext/1 M		08 Mon Status Check	08 Mor
יטי	MLD/N/A/GAP	(US) 1,973,191		62US	1 Ext/6 Mnth 920562US	1 Ext/6 M	0	07 Sun Affidavít w/renewal	07 Sun
	TSR//			1034496-000003		None	3	07 Sun Report due by	07 Sun
E	BNI//			1034483-000030		None	_	07 Sun Report Due	07 Sun
x		(WO) US2005/023886 CP//XXX		Ext/1 Mnth 1034457-000002	Inth 10344	1 Ext/1 M	0	07 Sun Check for Search Rpt	07 Sun
nib	TRW//	TBA		1034392-000001		None	3	07 Sun Status Check	07 Sun
it	WCR//	(US) 10/885,078		Ext/2 Mnth 1034296-000021	Inth 10342	1 Ext/2 M	и	07 Sun SC-1st OA	07 Sun
Ē	PCK/NEW/	(US) 10/552,479		Ext/1 Mnth 1034193-000025	nth 10341	1 Ext/1 M	0	07 Sun SC - Missing Parts	07 Sun
	PCK/NEW/	(US) 10/552.479		1 Ext/1 Mnth 1034193-000025 Application was filed 10/7/04	1nth 10341 Application	1 Ext/1 M	0	07 Sun SC - Filing Receipt	07 Sun
	MLS//	(US) 10/491,987		2 Ext/1 Mnth 1034170-000019 Application was filed 4/7/04	Inth 10341 Application	2 Ext/1 M	_	07 Sun SC-1stOA	07 Sun
	MLS//	(US) 10/467,296		1 Ext/1 Mnth 1034170-000014 Application was filed 1/5/04	Inth 10341 Application	1 Ext/1 M	ю	07 Sun SC-1st OA	07 Sun
	MLS//	(US) 10/344,133		1 Ext/1 Mnth 1034170-000012 Application was filed 2/7/03 PLEASE DO A STATUS	Inth 10341 Application	1 Ext/1 M	0	07 Sun SC-1st OA	07 Sun
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Filing December 14, 1999 Date: December 14, 1999 Date: April 25, 2006	the date stamped hereon:	Request for Compaste Filing Recogist Wiccopy of Official Filing Recogist Supplemental Application (Sean-Filing Recogist Supplemental Application (Sean-Filing Recogist Charles 1	The Stratoeners
Appin. No.: 09/460,951 Working Atty.: SWC/geh	The following was/were received in the U.S. Patent and Trademark Office on the date stamped hereon:	Exocuted Declaration Power of Atamos Assignment Reportation From Cover Steep PTD 51280 Submission of Time Submission of Certificat Control of Princip Document Submission of Time Submission of Certificat Control (Submission of Princip Document Submission of Certificat Control (Submission of Princip Document Submission of Princip Document (Submission of Submission of Princip Document (Submission of Submission of Corrected Documents Submission of Corrected Documents Submission of Submissi	Express Mail Mailing Label No.
Inventor: Carlino Panzera et al. Docket No.: 1034497-000030 Dkt Clerk trinse		Adjahment or Response Preference Prefe	Express Mail 1

Attorney's Docket No. 1034497-000030





IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Carlino Panzera et al.

Application No.: 09/460,951

Filed: December 14, 1999

For: METHOD OF MANUFACTURE OF DENTAL PORCELAIN HAVING SMALL

LEUCITE CRYSTALLITES

Group Art Unit: 1731 Examiner: J.M. Hoffman

Confirmation No.: 3152

STATUS INQUIRY

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Please advise, in writing, as to the current status of the above-captioned application.

Respectfully submitted.

BUCHANAN INGERSOLL PC

Scott W. Cummings Registration No. 41,567

Date April 25, 2006

P.O. Box 1404 Alexandria, VA 22313-1404

703.836.6620

Attorney Docket No. 1034497-000030

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent	Application of)	
PE 4 Carlino Pan	zera et al.	Group Art Unit: 1731
Application	No.: 09/460,951	Examiner: J.M. Hoffman
EP 9.2 2006 gr Friing Date:	December 14, 1999	Confirmation No.: 3152
DEN	HOD OF MANUFACTURE OF) TAL PORCELAIN HAVING) LL LEUCITE CRYSTALLITES)	

FOURTH

INFORMATION DISCLOSURE STATEMENT TRANSMITTAL LETTER Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450 Sir: Enclosed is a FOURTH Information Disclosure Statement (IDS) and accompanying form PTO-1449 for the above-identified patent application. Ø No additional fee for submission of an IDS is required. П The fee of \$ 180 as set forth in 37 C.F.R. § 1.17(p) is also enclosed. A statement under 37 C.F.R. § 1.97(e) is also enclosed. A statement under 37 C.F.R. § 1.97(e), and the fee of \$ 180 as set forth in 37 C.F.R. § 1.17(p) are also enclosed. to Deposit Account No. 02-4800 for the fee due. A check in the amount of is enclosed for the fee due. to credit card for the fee due. Form PTO-2038 is attached. \boxtimes The Director is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17 and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate. Respectfully submitted,

BUCHANAN INGERSOLL & ROONEY PO

Date September 22, 2006

Scott W. Cummings Registration No. 41,567

P.O. Box 1404 Alexandria, VA 22313-1404 703 836 6620

Buchanan Ingersoll & Rooney PC

Exhibit G

By:

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Carlino Panzera et al.

Application No.: 09/460,951

Filed: December 14, 1999

SEP 2 2 2008

Group Art Unit: 1731

Examiner: J.M. Hoffman

Confirmation No.: 3152

For: METHOD OF MANUFACTURE OF DENTAL PORCELAIN HAVING SMALL)

LEUCITE CRYSTALLITES

FOURTH INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure as set forth in 37 C.F.R. § 1.56, the accompanying information is being submitted in accordance with 37 C.F.R. §§ 1.97 and 1.98.

To assist the Examiner, the documents are listed on the attached form PTO-1449. It is respectfully requested that an Examiner initialed copy of this form be returned to the undersigned.

Respectfully submitted.

BUCHANAN INGERSOLL & ROONEY PC

Date: September 22, 2006

Scott W. Cummings Registration No. 41,567

P.O. Box 1404 Alexandria, VA 22313-1404

703 836 6620

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Substitute for for	m 1449/PTO & 1449B/PTC)			c	omplete if Kno	own						
	FOURTH		Application Number			09/460,951							
	MATION DISCLO		Filing Date			December 14, 1999							
STATE	MENT BY APPLI	CANTE	First	Named Inventor		Carlino Pana	era	et al.					
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	NON-PATENT LITERATURE DOCUMENTS
xaminer Initials	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journa serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER FOR PATENTS P.O. Box 1450 Alexandria, Virginia 22313-1450

091460,951 12/14/1999 CARLINO PANZERA JEN-0005-Z 3152	APPLICATION NO	FI	LING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO		
CANTOR COLBURN, LLP HOFFMANN, JOHN M 55 GRUFFIN ROAD SOUTH	09/460,951		12/14/1999	CARLINO PANZERA	JEN-0005-Z	3152		
55 GRIFFIN ROAD SOUTH	23413	7590	11/07/2006		EXAM	INER		
	CANTOR	COLBUR	N, LLP		HOFFMANI	HOFFMANN, JOHN M		
					APTIBIT	DADED MINADED		
					1731			

DATE MAILED: 11/07/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

Communication Re: Appeal

Application No.	Applicant(s)	
09/460,951	PANZERA ET AL.	
Examiner	Art Unit	
John Hoffmann	1731	

	1	John Hoffmann	1731							
- The MAILING L	DATE of this communication appe	ears on the cover sheet with the	e correspondenc	e address						
1. The Notice	1. The Notice of Appeal filed on is not acceptable because:									
(a) 🔲 it wa	s not timely filed.									
(b) 🗌 the s	statutory fee for filing the appeal was	s not submitted. See 37 CFR 41.	20(b)(1).							
(c) 🗌 the a	appeal fee received onwas n	ot timely filed.								
(d) 🗌 the s	submitted fee of \$ is insufficient	nt. The appeal fee required by 37	CFR 41.20(b)(1)	is \$						
(e) 🗌 the a	appeal is not in compliance with 37	CFR 41.31(a)(1) in that no claim h	nas been twice rej	ected.						
(f) 🗌 a No	tice of Allowability, PTO-37, was ma	ailed by the Office on								
2. The appea	al brief filed on is NOT accept	table for the reason(s) indicated b	elow:							
(a) the b	nief and/or brief fee is untimely. Se	e 37 CFR 41.37(a).								
(b) the s	statutory fee for filing the brief has no	ot been submitted. See 37 CFR 4	41.20(b)(2).							
(c) the s	submitted brief fee of \$ is insu	fficient. The brief fee required by	37 CFR 41.20(b)	(2) is \$						
	nis application will be dismissed uite fee. See 37 CFR 41.37(a)(1). E: 37(e).									
The appea	I in this application is DISMISSED t	pécause:	•							
(a) ☐ the s	tatutory fee for filing the brief as req od for obtaining an extension of time	uired under 37 CFR 41.20(b)(2) v to file the brief under 37 CFR 1.1	vas not timely sut 136(a) has expired	omitted and the						
(b) 🗌 the b CFR	nief was not timely filed and the peri 1.136(a) has expired.	iod for obtaining an extension of t	ime to file the brie	ef under 37						
	quest for Continued Examination (R									
(d) ⊠ other <u>filed on 5</u>	: No proper brief was filed in respon 5/08/2006, it was also not compliant.	nse to the notification of 4/7/2006. the period of obtaining an exten	Although anothe sion of time has e	er Brief was expired.						
4. ⊠ Because o	f the dismissal of the appeal, this ap	oplication:								
(a) 🛛 is aba	andoned because there are no allow	ved claims.								
(b) 🔲 is bef	fore the examiner for final disposition		ims. Prosecution							
	ore the examiner for consideration.	,	JOHN HOFFMAN PRIMARY EXAMI GROUP 1300	11-6-01 IN NER						

U.S. Patent and Trademark Office PTOL-461 (Rev. 9-04)

Communication Re: Appeal

-	nventor:	Carlino Panzera et al.		Appin. No.:	09/460,951	Filing Date:	December 14, 1999
	Docket No.:	1034497-000030 W	orking Att	y.: SWC/geh		Date: D	ecember 1, 2006
	Title:	METHOD OF MANUFAC	TURE OF	DENTAL PORCEL	AIN HAVING SMALL	LEUCITE CRY	STALLITES
Ľ	Okt. Clerk Initial	The following was/were	received	in the U.S. Patent	and Trademark Off	ice on the date	stamped hereon:
1	Amendment	or Response	☐ Trans	mittal Letter for Missing P	arts of Application [Submission of Co	orrected Drawings
- 1	☐ Preliminary /	Amendment	☐ Exect	ted Declaration/Power of	Attomey [Fee and Authorization to charge
- (☐ Amendment/	Reply Transmittal Letter		nment/Assignment Recon		Deposit Account	
- 1	Petition for _	Month Extension of		(PTO-1595)		Request for Refu	
	Time			ission of Certified Copy of			plication Data Sheet
- 1	 Submission 	of Formal Drawings		certified co		Substitute Specif	ication (clean/marked up copies)
	w/	sheel(s) of drawings (Fig(s). 1-		ation Disclosure Stateme		Charge \$	to Deposit Account
				ation Disclosure Citation		Charge \$	to credit card. Form
- (Request for a	Approval of Drawing Changes w/		ation Disclosure Stateme		PTO-2038 is atta	ched
		sheet(s) of red ink drawings		document(Filed by Certifica	te of Mail
- !	Notice of App			st for Continued Examina	tion	Power of Attorney	and Correspondence Address
Ų	Appeal Brief			Fee Transmittal		Indication Form	XX TOTAL
- 9	Request for	Oral Hearing		est for Corrected Notice of			
- !	Reply Brief			ment w/Copy of Notice		j ∫ '	occ 01 2006 월
1	Response to Species	Restriction Requirement or Election of		st for Corrected Filing Re I Filing Receipt	ceipt w/copy of	. /\	DEC . El
- 1	Terminal Dis	claimer	☐ Status	Inquiry		J (a sta
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